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PTO/SB/30 (5/2000)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/446,323
Filing Date	20 March 2000
First Named Inventor	Stefan SANNER
Group Art Unit	1743
Examiner Name	Patricia Bex
Attorney Docket Number	258.0004 0101

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. Other _____
- b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other copy of corrected formal drawing sheets 2, 3, and 4 as previously filed

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. Other Petition for Extension of Time

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 13-4895
 - i. RCE fee required under 37 C.F.R. § 1.17(e)
 - ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
 - iii. Other _____
- b. Check in the amount of \$_____ enclosed
- c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)	Matthew W. Adams	Registration No. (Attorney/Agent)	43,459
Signature	<i>Matthew W. Adams</i>	Date	16 Jan 2003

CERTIFICATE UNDER 37 CFR §1.10:

"Express Mail" mailing label number: EV 073 732 911 US

Date of Deposit: 16 JANUARY 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Attn: Box RCE, Washington, D.C. 20231.

By: *Rachel Gagliardi-Graham*
Name: *Rachel Gagliardi-Graham*

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES and Completed Forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231.

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PATENT
Docket No.258.0004 0101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Stefan SANNER) Group Art Unit: 1743
Serial No.: 09/446,323)
Confirm No.: 2155) Examiner: Patricia Bex
Filed: 20 March 2000)
For: DEVICE FOR TAKING AND EXAMINING SAMPLES

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TC 1700

AMENDMENT AND RESPONSE

Assistant Commissioner for Patents
ATTN: BOX RCE
Washington D.C. 20231

Dear Sir:

In response to the final Office Action of 17 July 2002, please enter the Request for Continued Examination (RCE) filed herewith. In conjunction with this RCE, please amend the above-identified application as follows:

In the Claims

- Please amend claims 1, 13, and 19 as shown.
- Please enter and consider new claims 22-23.

The new and amended claims are provided below in clean form. Pursuant to 37 C.F.R. § 1.121, amended claims are also shown in Appendix A with notations to indicate changes made (for convenience, all pending claims, including those added hereby, are provided in Appendix A).

1. (AMENDED) A device for taking and examining samples, comprising a housing (50) in which a cartridge (30), a testing means (40) and a sample-taking means (10) are positioned, wherein the cartridge (30), during operation of the device, is displaceable within the housing